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In re Application of
GROEGER, et al.
U.S. Application No.: 10/593,567
PCT No.: PCT/EP05/02933
Int. Filing Date: 18 March 2005
Priority Date: 22 March 2004
Attorney Docket No.: 294227US0X PCT
For: PROCESS FOR PREPARING OPTICALLY
ACTIVE AMINO ACIDS USING A WHOLE-
CELL CATALYST

DECISION ON RENEWED
PETITION UNDER
37 CFR 1.47(a)

This decision is in response to applicant's renewed petition to accept the present national stage application without the signature of joint inventor Werner Hummel filed 27 November 2007 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 27 September 2007, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for reconsideration.

On 27 November 2007, applicant filed the present renewed petition under 37 CFR 1.47.

DISCUSSION

As detailed in the decision mailed 27 September 2007, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint investor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items (1) and (4).

With the filing of the present renewed petition and accompanying exhibits, applicant has satisfied the remaining two items and it is proper to grant the renewed petition at this time.

CONCLUSION

For the reasons stated above, applicant's renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 18 March 2005 under 35 U.S.C. 363, and will be given a date of **21 August 2007** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.



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